

communications raises important privacy issues because Americans want assurance that their sensitive personal and business information is protected from unauthorized access as it resides on and traverses national and international communications networks. For Americans to trust this new electronic environment, and for the promise of electronic commerce and the global information infrastructure to be fully realized, information systems must provide methods to protect the data and communications of legitimate users. Encryption can address this need because encryption can be used to protect the confidentiality of both stored data and communications. Therefore, my Administration continues to support the development, adoption, and use of robust encryption by legitimate users.

At the same time, however, the same encryption products that help facilitate confidential communications between law-abiding citizens also pose a significant and undeniable public safety risk when used to facilitate and mask illegal and criminal activity. Although cryptography has many legitimate and important uses, it is also increasingly used as a means to promote criminal activity, such as drug trafficking, terrorism, white collar crime, and the distribution of child pornography.

The advent and eventual widespread use of encryption poses significant and heretofore unseen challenges to law enforcement and public safety. Under existing statutory and constitutional law, law enforcement is provided with different means to collect evidence of illegal activity in such forms as communications or stored data on computers. These means are rendered wholly insufficient when encryption is utilized to scramble the information in such a manner that law enforcement, acting pursuant to lawful authority, cannot decipher the evidence in a timely manner, if at all. In the context of law enforcement operations, time is of the essence and may mean the difference between success and catastrophic failure.

A sound and effective public policy must support the development and use of encryption for legitimate purposes but allow access to plain text by law enforcement when encryption is utilized by criminals. This requires an approach that properly balances critical privacy interests with the need to preserve public safety. As is explained more fully in the sectional analysis that accompanies this proposed legislation, the CESA provides such a balance by simultaneously creating significant new privacy protections for lawful users of encryption, while assisting law enforcement's efforts to preserve existing and constitutionally supported means of responding to criminal activity.

The CESA establishes limitations on government use and disclosure of decryption keys obtained by court process and provides special protections for decryption keys stored with third party "recovery agents." CESA authorizes a recovery agent to disclose stored recovery information to the government, or to use stored recovery information on behalf of the government, in a narrow range of circumstances (e.g., pursuant to a search warrant or in accordance with a court order under the Act). In addition, CESA would authorize appropriations for the Technical Support Center in the Federal Bureau of Investigation, which will serve as a centralized technical resource for Federal, State, and local law enforcement in responding to the increasing use of encryption by criminals.

I look forward to working with the Congress on this important national issue.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 16, 1999.

#### SALUTE TO GERARD GAUTHIER, EDWIN KUHLMANN, AND ROBERT STUMPF UPON RECEIPT OF POW MEDALS AT NELLIS AIR FORCE BASE

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, today I rise in honor of three POWs, and I recall the words of President John F. Kennedy who once said, "In the long history of the world, only a few generations have been granted the role of defending freedom in its hour of maximum danger. I do not shrink from this responsibility. I welcome it."

Mr. Speaker, I can think of no better words to describe three former World War II POWs from Nevada who were honored with POW Medals at Nellis Air Force Base last Friday.

Gerard Gauthier, Edwin Kuhlmann, and Robert Stumpf did not shrink from their responsibilities, indeed they welcomed them, ultimately enduring the greatest test of fighting men and women, as captives of our enemies.

Just as the Soldiers' Code of Conduct now says, these men never forgot that they were American fighting men, responsible for their actions and dedicated to the principles which made our country free.

I stand here to honor these men, men of one of the greatest generations for providing the fighting men and women that followed in their footsteps the bedrock for returning with honor. As a veteran of two of our Nation's wars, I salute their sacrifices and services. They are our heroes. They are our Nation's heroes. I thank them for their patriotism, their courage, and their inspiration.

#### SPIES FROM RUSSIA

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, first it was China, and now it is Russia. The FBI said Russia is spying on America. If that is not enough to tax one's vodka.

The FBI says that 50 percent of all Russian diplomats in America are likely to be spies. Unbelievable. The White House gives billions of dollars to Boris. Boris uses our money to spy on us.

Now, Mr. Speaker, I thought we always gave billions of dollars to Russia because they were so poor they could not even afford toilet paper. I say it is time to put Boris on a cash diet. Maybe when he runs out of toilet paper, he will stop spying on us.

Mr. Speaker, I yield back the Charmin.

#### REPUBLICAN TAX CUT IS FAIR, PRUDENT AND BALANCED

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, let us set the record straight this afternoon about the Democrat accusations that the Republican tax relief package is huge, massive, gigantic, irresponsible.

It starts very slowly, as a matter of fact, and it only goes forward if we have surpluses.

Here are some figures that my colleagues will not hear from the Democrats: The tax cut for the first year, the fiscal year 2000, it is \$5.3 billion. Now, out of an \$8 trillion economy, that is not massive.

The next year, 2001, it is \$1.1 billion. Now, that is not huge. In the year 2002, it is \$34.7 billion. In the year 2003, it is \$53.1 billion. In the year 2004, it is \$61.7 billion.

So, Mr. Speaker, over the next 5 years, the tax cuts will total about \$156 billion. That is not risky. That is not irresponsible. These are the numbers, and these are the facts.

This approach by the Republicans is balanced, fair, prudent, and a great tax cut for the American people.

#### CALL FOR LIBERALS TO EXPLAIN WHY TAX RELIEF PROPOSAL IS SO OFFENSIVE

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, liberal Democrats do an awful lot of railing against the Republican tax proposal that the President has promised to veto. The funny thing is they never tell us exactly what parts of the tax proposal they find so offensive.

Are they against the part that would make it easier for parents to save for their children's education? Are they against the part that would make it easier for workers to obtain health insurance? Are they against reducing the marriage penalty? Are they against doing away with the death tax? Or are they against the part which reduces the tax on capital gains, the part of the tax code which has perhaps the greatest impact on whether the American economy is a job-producing machine.

Who will come forth and explain what part of the Republican tax proposal offends liberal sensibilities? Let me tell my colleagues I think all of it offends them because they want every penny they can get for more government and bigger government.

I am not surprised that a liberal President wants to veto this true tax relief package.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CALVERT). Pursuant to the provisions of clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 6 p.m. today.

#### VETERANS' MILLENNIUM HEALTH CARE ACT

Mr. STUMP. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2116) to amend title 38, United States Code, to establish a program of extended care services for veterans and to make other improvements in health care programs of the Department of Veterans Affairs, as amended.

The Clerk read as follows:

H.R. 2116

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REFERENCES TO TITLE 38, UNITED STATES CODE.

(a) SHORT TITLE.—This Act may be cited as the "Veterans' Millennium Health Care Act".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents; references to title 38, United States Code.

#### TITLE I—ACCESS TO CARE

Sec. 101. Extended care services.

Sec. 102. Reimbursement for emergency treatment.

Sec. 103. Eligibility for care of combat-injured veterans.

Sec. 104. Access to care for military retirees.

Sec. 105. Benefits for persons disabled by participation in compensated work therapy program.

Sec. 106. Pilot program of medical care for certain dependents of enrolled veterans.

Sec. 107. Enhanced services program at designated medical centers.

Sec. 108. Counseling and treatment for veterans who have experienced sexual trauma.

#### TITLE II—PROGRAM ADMINISTRATION

Sec. 201. Medical care collections.

Sec. 202. Health Services Improvement Fund.

Sec. 203. Veterans Tobacco Trust Fund.

Sec. 204. Authority to accept funds for education and training.

Sec. 205. Extension and revision of certain authorities.

Sec. 206. State Home grant program.

Sec. 207. Expansion of enhanced-use lease authority.

Sec. 208. Ineligibility for employment by Veterans Health Administration of health care professionals who have lost license to practice in one jurisdiction while still licensed in another jurisdiction.

#### TITLE III—MISCELLANEOUS

Sec. 301. Review of proposed changes to operation of medical facilities.

Sec. 302. Patient services at Department facilities.

Sec. 303. Report on assisted living services.

Sec. 304. Chiropractic treatment.

Sec. 305. Designation of hospital bed replacement building at Ioannis A. Lougaris Department of Veterans Affairs Medical Center, Reno, Nevada.

#### TITLE IV—CONSTRUCTION AND FACILITIES MATTERS

Sec. 401. Authorization of major medical facility projects.

Sec. 402. Authorization of major medical facility leases.

Sec. 403. Authorization of appropriations.

(c) REFERENCES TO TITLE 38, UNITED STATES CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

#### TITLE I—ACCESS TO CARE

##### SEC. 101. EXTENDED CARE SERVICES.

(a) REQUIREMENT TO PROVIDE EXTENDED CARE SERVICES.—(1) Chapter 17 is amended by inserting after section 1710 the following new section:

##### "§ 1710A. Extended care services

"(a) The Secretary (subject to section 1710(a)(4) of this title and subsection (c) of this section) shall operate and maintain a program to provide extended care services to eligible veterans in accordance with this section. Such services shall include the following:

"(1) Geriatric evaluation.

"(2) Nursing home care (A) in facilities operated by the Secretary, and (B) in community-based facilities through contracts under section 1720 of this title.

"(3) Domiciliary services under section 1710(b) of this title.

"(4) Adult day health care under section 1720(f) of this title.

"(5) Such other noninstitutional alternatives to nursing home care, including those described in section 1720C of this title, as the Secretary considers reasonable and appropriate.

"(6) Respite care under section 1720B of this title.

"(b)(1) In carrying out subsection (a), the Secretary shall provide extended care services which the Secretary determines are needed (A) to any veteran in need of such care for a service-connected disability, and (B) to any veteran who is in need of such care and who has a service-connected disability rated at 50 percent or more.

"(2) The Secretary, in making placements for nursing home care in Department facilities, shall give highest priority to veterans (A) who are in need of such care for a service-connected disability, or (B) who have a service-connected disability rated at 50 percent or more. The Secretary shall ensure that a veteran described in this subsection who continues to need nursing home care shall not after placement in a Department nursing home be transferred from the facility without the consent of the veteran, or, in the event the veteran cannot provide informed consent, the representative of the veteran.

"(c)(1) The Secretary, in carrying out subsection (a), shall prescribe regulations governing the priorities for the provision of nursing home care in Department facilities so as to ensure that priority for such care is given (A) for patient rehabilitation, (B) for clinically complex patient populations, and (C) for patients for whom there are not other suitable placement options.

"(2) The Secretary may not furnish extended care services for a non-service-connected disability other than in the case of a veteran who has a service-connected disability rated at 50 percent or more unless the veteran agrees to pay to the United States a copayment for extended care services of more than 21 days in any year.

"(d)(1) A veteran who is furnished extended care services under this chapter and who is required under subsection (c)(2) to pay an amount to the United States in order to be furnished such services shall be liable to the United States for that amount.

"(2) In implementing subsection (c)(2), the Secretary shall develop a methodology for establishing the amount of the copayment for which a veteran described in subsection (c) is liable. That methodology shall provide for—

"(A) establishing a maximum monthly copayment (based on all income and assets of the veteran and the spouse of such veteran);

"(B) protecting the spouse of a veteran from financial hardship by not counting all of the income and assets of the veteran and spouse (in the case of a spouse who resides in the community) as available for determining the copayment obligation; and

"(C) allowing the veteran to retain a monthly personal allowance.

"(e)(1) There is established in the Treasury of the United States a revolving fund known as the Department of Veterans Affairs Extended Care Fund (hereinafter in this section referred to as the 'fund'). Amounts in the fund shall be available, without fiscal year limitation and without further appropriation, exclusively for the purpose of providing extended care services under subsection (a).

"(2) All amounts received by the Department under this section shall be deposited in or credited to the fund."

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1710 the following new item:

"1710A. Requirement to provide extended care."

(b) REQUIREMENT TO INCREASE EXTENDED CARE SERVICES.—(1) Not later than January